REMARKS

Claims 1-20 remain pending in the application, with claims 1-14 withdrawn from consideration because of a restriction requirement.

Restriction

The Applicants reiterate the election of claims 15-20 in response to a restriction requirement issue by the Examiner, with traverse.

Double Patenting

Claims 15, 16, 18 and 19 were rejected under the ground of non-statutory obviousness-type double patenting as allegedly being obvious over patent claims 18 and 26 of co-pending Application No. 10/699,834.

The Applicants herewith submit a terminal disclaimer to co-pending Application No. 10/699,834. The Applicants respectfully request that the non-statutory obviousness-type double patenting rejection of claims 15, 16, 18 and 19 be withdrawn.

Claims 15, 16, 18 and 19 over DiFrancisco in view of KIV Family

In the Office Action, claims 15, 16, 18 and 19 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Global Broadcast Service (GBS) End-to-End Services: Protocols and Encapsulation* by Michael DiFrancisco et al. ("DiFrancisco") in view of *KIV-7 Family* ("KIV Family"). The Applicants respectfully traverse the rejection.

Claims 15, 16, 18 and 19 recite, *inter alia*, a system and method of routing IP encapsulated, bulk encrypted data from an output port of a **portable, deployable** communication system over an Internet.

The Office Action alleged that DiFrancisco discloses a **deployable communication system** (Office Action, page 4). DiFrancisco discloses eight different end-to-end data services to end users based on encapsulation, the data services being passed from a Transmit Suite to a Receive Suite (see Abstract). DiFrancisco fails to disclose, teach or suggest use of a **deployable communication system**, much less a **portable, deployable** communication

system, much less routing IP encapsulated, bulk encrypted data from an output port of a **portable, deployable** communication system over an Internet, as recited by claims 15, 16, 18 and 19. It is well settled that each and every claim limitation must be considered. As specified in MPEP §2143.03, entitled "All Claim Limitations Must Be Taught or Suggested": "To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). 'All words in a claim must be considered in judging the patentability of that claim against the prior art.' In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970)." MPEP §2143.03 at 2100-133 (Rev. 2, May 2004).

The Office Action acknowledged that DiFrancisco fails to teach KIV type encryption devices (Office Action, page 4). The Office Action relied on KIV Family to allegedly make up for the deficiencies in DiFrancisco. The Applicants respectfully disagree.

KIV Family appears to describe the KIV-7 family of embeddable KG-84 communications security (COMSEC) modules that are lightweight, compact, commercial off-the-shelf (COTS) cryptographic devices that provide protection for digital and voice communications (see first paragraph). The miniaturization of the KIV-7 family units make them suitable for space and load constrained environments such as, .e.g., aboard submarines or vehicle mount (see KIV Family first paragraph).

Thus, KIV Family discloses a family of encryption devices that can be used aboard submarines or vehicle mount. KIV Family, like DiFrancisco, fails to disclose, teach or suggest a **portable, deployable** communication system, much less routing IP encapsulated, bulk encrypted data from an output port of a **portable, deployable** communication system over an Internet, as recited by claims 15, 16, 18 and 19.

DiFrancisco in view of KIV Family would still fail to disclose, teach or suggest a **portable, deployable** communication system, much less routing IP encapsulated, bulk encrypted data from an output port of a **portable, deployable** communication system over an Internet, as recited by claims 15, 16, 18 and 19.

Accordingly, for at least all the above reasons, claims 15, 16, 18 and 19 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 17 and 20 over DiFrancisco in view of KIV Family and ViaSat

In the Office Action, claims 17 and 20 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over DiFrancisco in view of KIV Family, and further in view of *KIV-21 ViaSat IP Crypto* ("ViaSat"). The Applicants respectfully traverse the rejection.

The Applicants respectfully suggest that the need to combine THREE references is an indication of the non-obviousness of claims 17 and 20.

Claims 17 and 20 are dependent on claims 15 and 18, and are allowable for at least the same reasons as claims 15 and 18.

Claims 17 and 20 recite, *inter alia*, a system and method of routing IP encapsulated, bulk encrypted data from an output port of a **portable, deployable** communication system over an Internet.

As discussed above, DiFrancisco in view of KIV Family fails to disclose, teach or suggest a **portable, deployable** communication system, much less routing IP encapsulated, bulk encrypted data from an output port of a **portable, deployable** communication system over an Internet, as recited by claims 17 and 20.

The Office Action relied on ViaSat to allegedly make up for the deficiencies in DiFrancisco in view of KIV Family to arrive at the claimed features. The Applicants respectfully disagree.

The Office Action relied on ViaSat to allegedly disclose KIV-21 (Office Action, page 5). However, KIV-21 appears to disclose an in-line network encryption device to provide Type I encryption for network users (see first paragraph). KIV-21, like DiFrancisco and KIV Family, fails to disclose, teach or suggest a **portable, deployable** communication system, much less a system and method of routing IP encapsulated, bulk encrypted data from an output port

of a **portable, deployable** communication system over an Internet, as recited by clams 17 and 20.
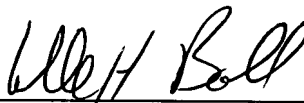
DiFrancisco in view of KIV Family, and further in view of ViaSat fails to disclose, teach or suggest a **portable, deployable** communication system, much less a system and method of routing IP encapsulated, bulk encrypted data from an output port of a **portable, deployable** communication system over an Internet, as recited by clams 17 and 20.

Accordingly, for at least all the above reasons, claims 17 and 20 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and/or rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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